



Entered on Docket
November 04, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Fifth Omnibus Objection
Of USACM Trust To Proofs Of Claim
Based In Part Upon Investment In The
Fiesta Oak Valley Loan**

Hearing Date: October 18, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Fifth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Fiesta Oak Valley Loan ("Fiesta Oak Valley Loan") [DE 9073] (the "Objection"); the Court having heard the Objection on October 18, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Fiesta Oak Valley Loan; and
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 9073] is sustained; and
5 2. The claims listed on **Exhibit A** attached are 20% allowed and 80%
6 disallowed to the extent those claims are based upon an investment in the Fiesta Oak
7 Valley Loan.

8
9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**
11

12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACM Trust

Fiesta Oak Valley

Multiple Loan Claims

Claim	Name	Address	Total Claim Amount	Approximate Amount Related to an Investment In The Fiesta Oak Valley Loan	Amount Disallowed (80 %)	Amount Allowed (20 %)
10725-02444	Acosta, Ruth	2546 General Armistead Ave Norristown, PA 19403	2,718.99	Unknown	0.00	0.00
10725-01903	AIG Limited A Nevada Limited Partnership	9904 Villa Granito Ln Granite Bay, CA 95746-6481	813,297.52	50,000.00	\$40,000.00	\$10,000.00
10725-01177	Arthur E & Thelma Keble Family Trust DTD 5/19/95	C/O Arthur E & Thelma M Keble Tees 9512 Salem Hills Ct Las Vegas, NV 89134-7883	327,563.97	70,854.19	\$56,683.35	\$14,170.84
10725-00089	Augustine Tuffanelli Family Trust	C/O Thomas R Brooksbank 201 W Liberty Street Suite 1, Box 3479 Reno, NV 89501	250,000.00	50,000.00	\$40,000.00	\$10,000.00
10725-01626	Aylene Geringer & Mark Zipkin	420 Weiby Avenue Silverton, OR 97381	20,425.79	8,501.85	\$6,801.48	\$1,700.37
10725-01437	Clawiter Associates Llc	1620 Colchester St Danville, CA 94506	225,000.00	50,000.00	\$40,000.00	\$10,000.00
10725-02190	Colborn Revocable Living Trust DTD 8/6/90	Larry E & Loretta A Colborn Tees 1127 Broken Wagon Trail Dewey, AZ 86327	488,408.12	50,000.00	\$40,000.00	\$10,000.00
10725-00092	Corison, James	1427 Kearney Street St. Helena, CA 94574	1,023,000.00	100,000.00	\$80,000.00	\$20,000.00
10725-01919	Cynthia G Davis Living Trust	C/O Cynthia G Davis Trustee 2465 Telluride Dr Reno, NV 89511-9155	202,986.12	50,000.00	\$40,000.00	\$10,000.00
10725-01892	Dalton Trust DTD 1/7/94	C/O Bert A Stevenson Trustee 500 N Estrella Pkwy. Ste B2 405 Goodyear, AZ 85338-4135	Unknown	Unknown	0.00	0.00

EXHIBIT A

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